

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ALEC DEVON KREIDER,

Plaintiff,

v.

JOHN WETZEL, et al.,

Defendant.

NO. 3:15-CV-01112

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

**NOW**, this 8<sup>th</sup> day of July, 2016, upon review of the Report and Recommendation of Magistrate Judge Carlson (Doc. 33) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 33) is **ADOPTED in its entirety**.
- (2) Defendants' Motion to Dismiss Plaintiff's Complaint (Doc. 27) is **GRANTED in part and DENIED in part** as follows:
  - (A) Defendants' Motion to Dismiss with respect to all claims against Secretary Wetzel is **GRANTED**.
  - (B) Defendants' Motion to Dismiss with respect to all claims for damages brought against the defendants in their official capacities is **GRANTED**.
  - (C) Defendants' Motion to Dismiss with respect to Plaintiff's due process and Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. §§ 2000cc *et seq.* claims is **GRANTED**.
  - (D) Defendants' Motion to Dismiss with respect to Plaintiff's First Amendment and equal protection claims against Defendants Jellen,

Mooney, and Woodside is **DENIED**.

- (3) The matter is **RECOMMITTED** to Magistrate Judge Carlson for further proceedings.

A handwritten signature in cursive script, appearing to read "A. Richard Caputo", written over a horizontal line.

A. Richard Caputo  
United States District Judge